

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, October 19, 2016

ACTION ITEMS:

1. Minutes of October 5, 2016 Worksession.

Action: Approved, (SBB/JHP, 5-0).

2. **CBA-544, CBA-544-A, CBA-544-B, CBA-663, CBA-1359, CBA-1989, CBA-2073, S-41, and CBA-2110, Petition of Government Employees Insurance Company** (Off-street Parking). Pursuant to letters to the Board from Robert R. Harris, Esquire, requesting reconsideration of the Board's May 16, 2016, decision, the Board voted at its Worksession of June 22, 2016, to reconsider its decision and to defer further consideration of this matter until September. Also included is a letter from Mr. Harris, requesting that the Board defer consideration of this matter until October.

Action: (a) Granted administrative modification; (2) re-opened the record to include correspondence from Mr. Harris and the agreement between GEICO and the President of the neighboring Brookdale Citizens' Association, (JHP/ESR, 5-0).

3. **CBA-1208, CBA-1890, Petition of David S. Ross, D.D.S.** (Medical Practitioner's Office). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting the revocation of this special exception as abandoned. Also included is confirmation from the special exception holder.

Action: Revoked the special exception as abandoned, (SBB/BG, 5-0).

4. **CBA-2047, Petition of Potomac Place Limited Partnership** (Off-street Parking). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, reporting the findings of her investigation of the special exception. Item deferred by consensus. [W/S: 1/6/16].

Action: (a) Re-opened the record to include Ms. Cox's report; (b) dismissed the complaint, (ESR/BG, -0).

5. **CBA-2643, Petition of Audubon Naturalist Society** (Eleemosynary and Philanthropic Institution). Letters to the Board from Mariana A. McNeill and Kathleen Rosenberg opposing the administrative modification previously granting the 10-foot fence. Also included are letters from Jeanne and Kalman Salata, Kirsten Johnson and Elizabeth Jones, Patricia Esslinger and Mary Grossnick in support of the Board's decision to grant the 10-foot fence.

Action: Re-opened the record to receive the above mentioned letters in opposition and in support, (ESR/JHP, 5-0).

6. **CBA-2774, Petition of Dr. Joyce Ann McDowell** (Animal Hospital). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, requesting that this use be revoked as abandoned. Also included is a letter from the Petitioner's estate representative requesting that the special exception be revoked.

Action: Revoked the special exception as abandoned, (SBB/JHP, 5-0).

7. **CBA-2814, CBA-2814-A, Petition of Center Group, LLC** (Automobile Filling Station). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting the revocation of the special exception as abandoned. Also included is confirmation from the current property owner; a letter sent to the Petitioner was returned.

Action: Revoked the special exception as abandoned, (SBB/BG, 5-0).

8. **S-597, S-597-A, Petition of H. Steven Steinberg, VMD and Kenneth R. Cowell, DVM** (Veterinary Hospital). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting the revocation of the special exception as abandoned. Also included are confirmations from the current property owner and from the special exception holder.

Action: Revoked the special exception as abandoned, (SBB/BG, 5-0).

9. **S-1750, Petition of Optima Learning System, LLC** (Child Day Care Center). Letters to the Board from Beenish Siddique requesting an administrative modification of the special exception. [Large Exhibits: floor plans].

Action: Deferred, (consensus)

10. **S-2860, Petition of Edward A. Bubert** (Accessory Apartment). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, requesting the revocation of this special exception based on an oral and a written request from the property owner.

Action: Revoked the special exception at the owner's request, (SBB/ESR, 5-0).

11. **S-2668, Petition of Taiwan Culture Center** (Service Organization). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, setting forth the results of her inspection of this use following a complaint, and referring the matter to the Board for a show cause hearing.

Action: (a) Re-opened the record to include Ms. Vargas' inspection report; (b) scheduled show cause hearing, (ESR/CJS, 5-0).

PENDING ITEMS:

12. **CBA-1730, Petition of Stanley Rakusin and Arthur P. Becker** (Apartment Hotel). Letter to the Board from Robert R. Harris, Esquire, requesting reconsideration of the Board's revocation of special exception CBA-1730, and asking that the special exception be reinstated. Item deferred (consensus). [W/S: 4/27/16].
13. **S-2250, S-1211, S-1211-B, Petition of KCJ Properties, LLC, and O.G. Limited Partnership** (Private Educational Institution). Letter to the Board from Joyce Saadi, requesting reconsideration of the Board's decision dated July 29, 2016, which modified S-2250 and revoked S-1211 and S-1211-B, or in the alternative, a hearing. Item deferred (consensus). [W/S: 9/7/16].

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